

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>FRANCISCO JAVIER MONTES RAMIREZ,</b>	:	<b>CIVIL ACTION</b>
	:	
<b>Plaintiff,</b>	:	
	:	
<b>vs.</b>	:	<b>NO. 11-6411</b>
	:	
<b>PATRICIA BUYAUSKAS,</b>	:	
	:	
<b>Defendant.</b>	:	

**ORDER**

**AND NOW**, this 24th day of February, 2012, upon consideration of the Petition for Return of Children to Petitioner (Document No. 1, filed October 13, 2011), Petitioner's Findings of Fact and Conclusions of Law (Document No. 30, filed February 8, 2012), and Respondent's Proposed Findings of Fact and Proposed Conclusions of Law (Document No. 32, filed February 22, 2012), following an evidentiary hearing and oral argument on December 22, 2011, and January 18, 2012, based on the attached Findings of Fact and Conclusions of Law and Memorandum, **IT IS ORDERED** that the Petition for Return of Children to Petitioner is **DENIED**, and **JUDGMENT IS ENTERED** in **FAVOR** of respondent, Patricia Buyauskas, and **AGAINST** petitioner, Francisco Javier Montes Ramirez.

**IT IS FURTHER ORDERED** as follows:

1. Paragraph (d) of the Court's Order dated November 30, 2011, requiring respondent and the children to remain in the jurisdiction of this Court, is hereby **VACATED**;
2. Paragraph (f) of the Court's Order dated November 30, 2011, requiring the United States Marshals Service to seize the passports of respondent Patricia Buyauskas and minor children Francisco Javier Montes, Junior, date of birth January 7, 2000 ("Francisco Javier, Jr."); Kate Alexis Montes, date of birth August 14, 2003 ("Kate Alexis"); and Chelsey Megan Montes,

date of birth March 3, 2009 (“Chelsey Megan”); is hereby **VACATED**. The Clerk of Court shall **PROVIDE** the passports of respondent Patricia Buyauskas, Francisco Javier, Junior, Kate Alexis, and Chelsey Megan, to respondent or her counsel, Elaine Smith, Esq.;

3. Petitioner’s request for fees and costs in the Petition for Return of Children to Petitioner is **DENIED**; and

4. The Clerk of Court shall **MARK** the case **CLOSED**.

**BY THE COURT:**

*/s/ Jan E. DuBois*

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**JAN E. DUBOIS, J.**